

700 Crossroads Building  
2 State Street, Rochester, New York 14614

P 585.987.2800 F 585.454.3968



ATTORNEYS  
woodsoviatt.com

1900 Main Place Tower  
Buffalo, New York 14202

P 716.248.3200 F 716.854.5100

Writer's Direct Dial Number: 716.248.3213  
Writer's Direct Fax Number: 716.248.3313  
Email: bgwitt@woodsoviatt.com

April 11, 2018

**VIA CM/ECF**

Honorable David N. Hurd  
United States District Court  
Northern District of New York  
Alexander Pirnie Federal Building  
10 Broad Street  
Utica, New York 13501

**Re: Ward vs. Stewart**  
**Case No.: 7:15-cv-01023 DNH-TWD**

Dear Judge Hurd:

We represent Anthony Stewart. The Court has set a hearing for 2:00 P.M. on April 12, 2018, to confirm that the parties have entered into a signed settlement agreement. I will be attending the conference in person. Mr. Stewart respectfully seeks the Court's permission to participate in the hearing remotely by telephone due to his pre-existing commitment to host more than a dozen representatives of a race-team sponsor at scheduled events in Columbus, Indiana. The events will run late into the evening tonight (April 11), with many of those representatives staying at Mr. Stewart's home. This event was scheduled several months ago.

Thank you in advance for your consideration.

Respectfully submitted,

WOODS OVIATT GILMAN LLP

Brian D. Gwitt

*Please direct responses to Buffalo Office*

BDG/kjh

cc: (via CM/ECF):  
W. Mark Lanier, Esq.  
Richard Meadow, Esq.  
Zarah Levin-Fragasso, Esq.  
Judson A. Waltman, Esq.  
Richard A. Smikle, Esq.  
Angela P. Krahulik, Esq.  
Eric McKeown, Esq.

*The art of representing people®*